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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genesis Global Holdco, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No.: 23-10063 (SHL)

Jointly Administered

Genesis Global Capital, LLC,

Plaintiff,

v.

Digital Currency Group, Inc.

Defendant.

Adv. Pro. No. 23- 01168 (SHL)

Genesis Global Capital, LLC,

Plaintiff,

v.

DCG International Investments Ltd.

Defendant.

Adv. Pro. No. 23- 01169 (SHL)

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's tax identification number (or equivalent identifier), are: Genesis Global Holdco, LLC (8219); Genesis Global Capital, LLC (8564); and Genesis Asia Pacific Pte. Ltd. (2164R). For the purpose of these Chapter 11 Cases, the service address for the Debtors is 250 Park Avenue South, 5th Floor, New York, NY 10003.

**SECOND AMENDED AGENDA FOR HEARING TO BE HELD
OCTOBER 24, 2023, AT 11:00 A.M. (PREVAILING EASTERN TIME)**

Date and Time of Hearing: October 24, 2023, at 11:00 a.m. (Prevailing Eastern Time)

Location of Hearing: Before the Honorable Judge Sean H. Lane, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York. The September 26 Hearing will be conducted only through Zoom. Parties wishing to register for the Zoom hearing should use the eCourt Appearances link on the Court's website: <https://www.nysb.uscourts.gov/ecourt-appearances>. After the deadline to make appearances passes, the Court will circulate, by email prior to the Hearing, the Zoom links to those persons who made eCourt Appearances, using the email addresses submitted with those appearances.

Members of the public who wish to listen to, but not participate in, the Hearing free of charge may do so by calling the following muted, listen-only number: 1-929-205-6099, Access Code: 92353761344#

Copies of Motions: Copies of each pleading identified below can be viewed and/or obtained: (i) from the Debtors' notice and claims agent, Kroll Restructuring Administration LLC, located at 55 East 52nd Street, 17th Floor, New York, NY 10055, for free of charge on the Debtors' case website at <https://restructuring.ra.kroll.com/genesis/> or by calling +1 888-524-2017 or (ii) by accessing the Court's website at www.nysb.uscourts.gov. Note that a PACER password is needed to access documents on the Court's website.

AGENDA FOR OCTOBER 24 HEARING

Matters to be Heard at October 24 Hearing:

I. Uncontested Matters:

1. **Lease Motion:** *Debtors' Motion for an Order Authorizing the Debtors to Enter into New Lease of Real Property and Granting Related Relief.* ECF No. 775.
 - i. **General Response Deadline:** October 17, 2023 at 4:00 p.m. (Eastern Time)
 - ii. **No Responses**
 - iii. **No Related Pleadings**
 - iv. **Status:** A proposed order has been filed and the matter is going forward on an uncontested basis.

2. **Newsome Fee Application:** *First and Final Application of Randall J. Newsome, Court-Appointed Mediator, for Allowance of Compensation for Professional Services Rendered and for Reimbursement of Actual and Necessary Expenses Incurred from May 1, 2023 Through August 29, 2023.* ECF No. 770.

- i. **General Response Deadline:** October 17, 2023 at 4:00 p.m. (Eastern Time)
- ii. **No Responses**
- iii. **Related Pleadings:**
 - a. *Certificate of No Objection*, ECF No. 818.
- iv. **Status:** A proposed order has been filed and the matter is going forward on an uncontested basis.

3. **Seward & Kissel Fee Application:** *First Interim Application of Seward & Kissel LLP, Special Litigation Counsel for the Official Committee of Unsecured Creditors, for Compensation for Services Rendered and Reimbursement of Expenses Incurred for the Period from March 30, 2023 through May 31, 2023.* ECF No. 684.

- i. **General Response Deadline:** October 17, 2023 at 4:00 p.m. (Eastern Time)
- ii. **No Responses**
- iii. **Related Pleadings:**
 - a. *Certificate of No Objection*, ECF No. 816.
- iv. **Status:** A proposed order has been filed and the matter is going forward on an uncontested basis.

II. **Contested Matters:**

1. **Exclusivity Motion:** *Debtors' Third Motion for Entry of Order Extending the Debtors' Exclusive Periods In Which to File a Chapter 11 Plan and Solicit Acceptances Thereof and Granting Related Relief.* ECF No. 785.

- i. **General Response Deadline:** October 19, 2023 at 4:00 p.m. (Eastern Time)
- ii. **Objections:**
 - a. *Ad Hoc Group of Genesis Lenders' (i) Objection to Debtors' Third Motion for Entry of Order Extending the Debtors' Exclusive Periods In Which to File a Chapter 11 Plan and Solicit Acceptances Thereof and Granting Related Relief, and (ii) Cross-motion to Terminate the Debtors' Exclusive Periods Pursuant to 11 U.S.C. § 1121(d)(1).* ECF No. 813.
 - b. *Declaration of Jordan E. Sazant in Support of Ad Hoc Group of Genesis Lenders' (i) Objection to Debtors' Third Motion for Entry of Order Extending the Debtors' Exclusive Periods In Which to File a Chapter 11 Plan and Solicit Acceptances Thereof and Granting Related Relief, and*

(ii) Cross-motion to Terminate the Debtors' Exclusive Periods Pursuant to 11 U.S.C. § 1121(d)(1). ECF No. 814.

- c. *Objection of the Fair Deal Group to Debtors' Third Motion to Extend Exclusivity.* ECF No. 815

iii. Related Pleadings:

- a. *Debtors' Reply in Support of Debtors' Third Motion for Entry of an Order Extending the Debtors' Exclusive Periods in Which to File a Chapter 11 Plan and Solicit Acceptances Thereof and Granting Related Relief.* ECF No. 829.
- b. *Statement and Reservation of Rights of the Official Committee of Unsecured Creditors with Respect to the Debtors Third Motion for Entry of an Order Extending the Debtors Exclusive Periods in Which to File a Chapter 11 Plan and Solicit Acceptances Thereof and Granting Related Relief.* ECF No. 830.

- iv. **Status:** A proposed order has been filed and the matter is going forward

III. Matters Not Going Forward

1. **Lift Stay Motion:** *Motion of the Foreign Representatives of Three Arrows Capital, LTD. for Entry of an Order (I) Modifying the Automatic Stay Pursuant to 11 U.S.C. 362(D)(1) and Bankruptcy Rule 4001 and (II) Granting Related Relief.* ECF No. 678

- i. **General Response Deadline:** September 19, 2023 at 4:00 p.m. (Eastern Time)

ii. Responses:

- a. *Debtors' Objection to the Motion of the Foreign Representatives of Three Arrows Capital, Ltd. for an Order Modifying the Automatic Stay Pursuant to 11 U.S.C. 362(d)(1) and Bankruptcy Rule 4001.* ECF No. 720.
- b. *Reply of the Joint Liquidators of Three Arrows Capital, Ltd. to the Debtors' Objection to the Motion to Modify the Automatic Stay.* ECF No. 730.

iii. Related Pleadings

- a. *Joinder and Reservation of Rights of the Official Committee of Unsecured Creditors to Debtors' Objection to the Motion of the Foreign Representatives of Three Arrows Capital, Ltd. For Entry of an Order Modifying the Automatic Stay Pursuant to 11 U.S.C. 362(d)(1) and Bankruptcy Rule 4001.* ECF No. 721.
- b. *Amended Notice of Adjournment of the Hearing on (A) the Motion of the Foreign Representatives of Three Arrows Capital, LTD. for Entry of an Order (I) Modifying the Automatic Stay Pursuant to 11 U.S.C. 362(d)(1) and Bankruptcy Rule 4001 and (II) Granting Related Relief and (B) the*

Motion for Authorization to File Stay Relief Motion and Related Declaration Under Seal to October 24, 2023. ECF No. 747.

c. *Motion for Authorization to File Stay Relief Motion and Related Declaration Under Seal.* ECF No. 679.

iv. **Status:** The Debtors and the Foreign Representatives of Three Arrows Capital, Ltd. (the “Parties”) have reached an agreement in principle regarding settlement of claim numbers 523, 526, 527, 981, 982 and 990 (together, the “3AC Claims”) and have agreed to adjourn this matter pending documentation of the settlement.

2. Status Conference on Scheduling Order

i. Related Pleadings:

a. *Order Granting Debtors’ Motion for Entry of a Scheduling Order Concerning the Debtors’ Second Omnibus Objection (Substantive) to Claim Nos. 523, 526, 527, 981, 982, and 990 Pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007 (No Liability).* ECF No. 695 (the “Scheduling Order”).

b. *Debtors’ Second Omnibus Objection (Substantive) to Claim Nos. 523, 526, 527, 981, 982 and 990 Pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007 (No Liability).* ECF No. 658.

ii. **Status:** The Parties have reached an agreement in principle regarding settlement of the 3AC Claims and have agreed to adjourn this matter pending documentation of the settlement.

3. 3AC Coordination Motion: Amended Motion of the Joint Liquidators of Three Arrows Capital, Ltd. for Coordination Among Courts. ECF No. 754.

i. **General Response Deadline:** October 17, 2023 at 4:00 p.m. (Eastern Time)

ii. Objections:

a. *Debtors’ Objection to the Amended Motion of the Joint Liquidators of Three Arrows Capital, LTD. for Coordination Among Courts.* ECF No. 805.

iii. Related Pleadings:

a. *Joinder and Reservation of Rights of the Official Committee of Unsecured Creditors to Debtors’ Objection to the Amended Motion of the Joint Liquidators of Three Arrows Capital, LTD. for Coordination Among Courts.* ECF No. 808.

b. *Notice Withdrawing the Motion of the Joint Liquidators of Three Arrows Capital, Ltd. for Coordination Among Courts.* ECF No. 809.

iv. **Status:** The motion has been withdrawn and is not going forward.

4. Disclosure Statement Motion: *Motion to Approve (i) the Adequacy of Information in the Disclosure Statement, (ii) Solicitation and Voting Procedures, (III) Forms of Ballots, Notices and Notice Procedures in Connection Therewith, and (IV) Certain Dates with Respect Thereto.* ECF No. 461.

i. **General Response Deadline:** October 31, 2023 at 4:00 p.m. (Eastern Time)

ii. **Objections:**

- a. *Objection of David Morton to Debtor's Disclosure Statement for Amended Joint Plan Under Chapter 11 of the Bankruptcy Code.* ECF No. 475.
- b. *Objection of the U.S. Securities and Exchange Commission to Debtors' Motion for Entry of an Order Approving the Adequacy of the Disclosure Statement.* ECF No. 510.
- c. *The New Jersey Bureau of Securities Joinder to the Objection of the U.S. Securities and Exchange Commission to Debtors' Motion for Entry of an Order Approving the Adequacy of the Disclosure Statement [Docket No. 510].* ECF No. 553.
- d. *Decentralized Wireless Foundation, Inc.'s Limited Objection to Disclosure Statement with Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code.* ECF No. 582.
- e. *The New York State Office of the Attorney General's Limited Objection to Debtors' Motion to Approve the Adequacy of Information in the Disclosure Statement [Docket No. 461] and Joinder to the Objection of the U.S. Securities and Exchange Commission to Debtors' Motion for Entry of an Order Approving the Adequacy of the Disclosure Statement [Docket No. 510].* ECF No. 591.

iii. **Related Pleadings:**

- a. *Securities Litigation Lead Plaintiffs' Reservation of Rights Regarding the Disclosure Statement with Respect to the Amended Joint Plan of Genesis Global Holdco, LLC et al., Under Chapter 11 of the Bankruptcy Code.* ECF No. 496.
- b. *Tenth Notice of Adjournment and Rescheduling of the Hearing on the Adequacy of Information in the Debtors' Disclosure Statement.* ECF No. 803.

iv. **Status:** This motion has been adjourned to November 7, 2023 pursuant to the *Tenth Notice of Adjournment and Rescheduling of the Hearing on the Adequacy of Information in the Debtors' Disclosure Statement.* ECF No. 803.

5. Pre-Trial Conference. *Complaint against Digital Currency Group, Inc.* ECF No. 1, Adv. Pro. No. 23-01168.

v. Related Pleadings:

- a. *Notice of Voluntary Stay of Prosecution of Complaints Against Digital Currency Group, Inc. and DCG International Investments Ltd.* ECF No. 4, Adv. Pro. No. 23-01168.

vi. Status: This pretrial conference has been adjourned to November 7, 2023.

- 6. Pre-Trial Conference.** *Complaint against DCG International Investments Ltd.* ECF No. 1, Adv. Pro. No. 23-01169.

vii. Related Pleadings:

- a. *Notice of Voluntary Stay of Prosecution of Complaints Against Digital Currency Group, Inc. and DCG International Investments Ltd.* ECF No. 6, Adv. Pro. No. 23-01169.

viii. Status: This pretrial conference has been adjourned to November 7, 2023.

Dated: October 23, 2023
New York, New York

CLEARY GOTTlieb STEEN & HAMILTON LLP

/s/ Luke A. Barefoot

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